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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 14-42883 WJL

**JEREMIAH DANIEL SMEBY and
MARIA GUADALUPE SMEBY,**

Chapter 13

Debtors.

**NOTICE OF MOTION TO VALUE
SECOND LIEN OF BUCK BUKRINSKY,
AN UNMARRIED MAN, AS TO AN
UNDIVIDED
\$60,000.00/\$68,000.00
INTEREST, AND JAMES A.
JORGENSEN AND KATHERINE
JORGENSEN, HUSBAND AND WIFE,
AS JOINT TENANTS, AS TO AN
UNDIVIDED \$8,000.00/\$68,000.00
INTEREST, HERMAN BUKRINSKY,
TRUSTEE OF THE BUKRINSKY
FAMILY TRUST, DATED NOVEMBER
14, 1999 AS TO AN UNDIVIDED
\$2,779.40/\$71,150.00 INTEREST,
AND CLARKE BROOKS AND M.
ADELINE SHREWSBURY, HIS WIFE,
AS JOINT TENANTS, AS TO AN
UNDIVIDED, \$370.60/\$71,150.00
INTEREST, THEIR SUCCESSORS
AND/OR ASSIGNEES AS SERVICED
BY CAL-WEST HOME LOANS, INC.
AND OPPORTUNITY TO REQUEST A
HEARING**

**TO BUCK BUKRINSKY, AN UNMARRIED MAN, AS TO AN UNDIVIDED
\$60,000.00/\$68,000.00 INTEREST, AND JAMES A. JORGENSEN AND KATHERINE**

1 JORGENSEN, HUSBAND AND WIFE, AS JOINT TENANTS, AS TO AN UNDIVIDED
2 \$8,000.00/\$68,000.00 INTEREST, HERMAN BUKRINSKY, TRUSTEE OF THE
3 BUKRINSKY FAMILY TRUST, DATED NOVEMBER 14, 1999 AS TO AN UNDIVIDED
4 \$2,779.40/\$71,150.00 INTEREST, AND CLARKE BROOKS AND M. ADELINE
5 SHREWSBURY, HIS WIFE, AS JOINT TENANTS, AS TO AN UNDIVIDED,
6 \$370.60/\$71,150.00 INTEREST, THEIR SUCCESSORS AND/OR ASSIGNEES AS
7 SERVICED BY CAL-WEST HOME LOANS, INC.:

8 **PLEASE TAKE NOTICE:**

9 (i) That Debtors Jeremiah Daniel Smeby & Maria Guadalupe Smeby
10 will and hereby move the court for an Order valuing your second lien
11 against the real property commonly known as 5313 Fairside Way,
12 Antioch, CA 94531 and making the determination that the claims based
13 on this lien is totally unsecured in this Chapter 13 case. The motion
14 is being brought pursuant to 11 U.S.C. §§ 506, 1322(b)(2) and 1327,
15 FRBP 3012 and 9014, and the United States Bankruptcy Court for the
16 Northern District of California's Guidelines for Avoiding Liens in
17 Individual Chapter 11 Cases and Chapter 13 Cases.

18 (ii) That Local Rule 9014-1 of the United States Bankruptcy
19 Court for the Northern District of California prescribes the
20 procedures to be followed and that any objection to the requested
21 relief, or a request for hearing on the matter must be filed and
22 served upon the undersigned within twenty-one (21) days of mailing of
23 this Notice;

24 (iii) That a request for hearing or objection must be
25 accompanied by any declarations or memoranda of law the party
26 objecting or requesting wishes to present in support of its position;

1 (iv) That if there is not a timely objection to the requested
2 relief or a request for hearing, the Court may enter an order granting
3 the relief by default; and

4 (v) That the undersigned will give at least seven (7) days
5 written notice of hearing to the objecting or requesting party, and to
6 any trustee or committee appointed in the case, in the event an
7 objection or request for hearing is timely made; and

8 (vi) That, except as otherwise ordered by the court, the initial
9 hearing on the motion will not be an evidentiary hearing, and will
10 serve as a status conference at which the court may schedule any
11 evidentiary hearing necessary.

12
13 Dated: August 27, 2014

/s/ Anne Y. Shiau
ANNE Y. SHIAU
Attorney for Debtors